

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 E/S Winans Road, 274 ft. from
 SWC Selma Avenue * ZONING COMMISSIONER
 1721 Winans Road
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 Legal Owners; Harry L. Ring, * Case No. 95-303-A
 Jr., et ux
 Contract Purchaser: Steven J.
 Knecht, Petitioners
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1721 Winans Road in the Halethorpe section of Baltimore County. The Petition is filed by Harry L. Ring, Jr., and Nelda H. Ring, his wife, property owners. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a 14 ft. front yard setback in lieu of the required 25 ft. minimum. Also sought is a variance from Section 303.1 of the BCZR to permit a 14 ft. front yard setback in lieu of the required 26.5 ft. minimum front average setback. The property and relief requested are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the requisite public hearing held for this case were the aforementioned property owner, Harry L. Ring, Jr. Also appearing in support of the Petition was Pat Blair and Robert Liggett. Also present was Geoffrey C. Schultz, a consultant with the land use firm of McKee and Associates. Mr. Schultz assisted with the preparation of the site plan. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the subject lot is an irregularly shaped parcel of ground located within the Halethorpe subdivision. This is a very old subdivision which was laid out many years ago. The

ORDER FOR ZONING
 Date 4/11/95
 By M. Good

RECORDED

subject lot itself and the surrounding subdivision were created prior to 1910. The property is triangular in shape and approximately .15 acres (6600 sq. ft.) in area. It is zoned D.R.5.5. Presently the property is vacant. Mr. and Mrs. Ring own an adjacent property which fronts Selma Avenue and reside thereon.

The Petitioners propose to utilize the subject lot and construct a 28 x 24 ft. house thereon. Owing to the irregular shape of the site, strict adherence to the setback regulations will require the available building to be 28 x 12 ft. Obviously, a house of such a size would be impractical and unusable. Thus, the Petitioners request variance relief to permit a setback of 14 ft. as shown on the plan. The required side yard setbacks and rear yard setback will be maintained.

Based on the testimony and evidence presented, all of which was uncontradicted, I am persuaded that the Petition for Variance should be granted. The irregular shape of the lot, as well as its age, support a finding that the subject property possesses unique characteristics which justify the variance. Moreover, a denial of the variance would render use of the subject property for a permitted propose (i.e., residential) impossible. Moreover, there will be no detriment to the surrounding locale if the relief requested is granted and the spirit and intent of the regulations will be observed.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

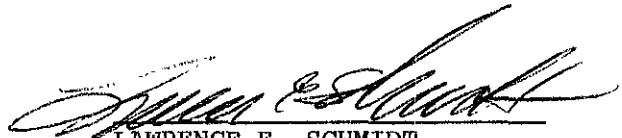
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of April, 1995 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a

ORDER OF THE ZONING COMMISSION
4/11/95
Mr. [Signature]
Clerk

14 ft. front yard setback in lieu of the required 25 ft. minimum, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.1 of the BCZR to permit a 14 ft. front yard setback in lieu of the required 26 ft. minimum front average setback, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

4/11/95
M. Gorch

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 11, 1995

Mr. and Mrs. Harry L. Ring, Jr.
1708 Selma Avenue
Baltimore, Maryland 21227

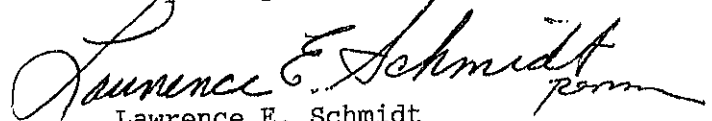
RE: Case No. 95-303-A
Petition for Zoning Variance
Property: 1721 Winans Road
Contract Purchaser: Steven J. Knecht

Dear Mr. and Mrs. Ring:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Mr. Steven J. Knecht
9050 Frederick Road, Suite E
Ellicott City, Maryland 21042

MICROFILMED





Petition for Variance

95-303-A

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3C.1 to permit a front setback of 14 (fourteen) feet in lieu of the required 25 (twenty-five) foot minimum. And a variance from Section 303.1 to permit a front setback of 14 (fourteen) feet in lieu of the required 26.5 foot minimum front average setback. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. The configuration of the lot lines does not permit the required setback to be maintained.
2. Other good and sufficient testimony to be delivered at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

Steven J. Knecht

(Type or Print Name)

Signature

9050 Frederick Road, Suite E

Address

Ellicott City, MD 21042

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Legal Owner(s):

Harry L. Ring, Jr.

(Type or Print Name)

Signature

Nelda H. Ring

(Type or Print Name)

Signature

1708 Selma Avenue

Address

242-3443

Phone No.

Baltimore, MD 21227

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

McKee & Associates, Inc.

Name

527-1555

5 Shawan Road, Hunt Valley, MD 21030

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

REVIEWED BY: DATE:

MICROFILMED

300

95-303-A

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

February 22, 1995

ZONING DESCRIPTION

1721 WINANS AVENUE

13TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Beginning at a point on the east side of Winans Road, said point being situated 274 feet, more or less from the southwest corner of Selma Avenue. Being known and designated as Lot 304 as shown on plat "Plan of the Subdivision of the Hall & Smith Farms, said plat being recorded among the land records of Baltimore County in plat book JWS 1 folio 60.

Containing 6,681 square feet or 0.15 acres of land, more or less, and being known as #1721 Winans Avenue.

NOT RECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-303-1A

District 13th Date of Posting 3/17/95

Posted for: Variance

Petitioner: H. L. Ring, Jr. & Hilda Ring, + Steven J. Ring, Jr. & Hilda Ring, Jr.

Location of property: 1721 Winona Rd., E/S

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by [Signature] Date of return: 3/24/95
Signature

Number of Signs: 1



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-303-A
(Item 500)
1721 Winans Road
E/S. Winans Road, 274'
from SWC Belma
13th Election District
1st Councilmanic
Legal Owner(s):
Harry L. Ring, Jr. and
Nelda H. Ring
Contract Purchaser(s):
Steven J. Knecht
Hearing: Wednesday,
April 5, 1995 at 9:00 a.m.
in Rm. 118, Old
Courthouse.

Variance to permit a front setback of 14 feet in lieu of the required 26-foot minimum; and to permit a front setback of 14 feet in lieu of the required 26.4-foot minimum front average setback.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.
3/228 March 18,

TOWSON, MD.,

March 17, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 16, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

~~Publication~~



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-303-A

Account: R-001-6150

Number

3030

Date

2 March 95

Ring - 1721 Wynnans Road

CNH

010

~~101~~ - 50.00

080 - 35.00

\$85.00

00000000000000000000

02A02#0216NICHRC

\$85.00

BA C001:47PMD3/02/95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 300

Petitioner: HARRY L. RING, Jr & NELDA H RING

Location: 1721 WINANS AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: STEVEN J. KNECHT

ADDRESS: 9050 FREDERICK ROAD, SUITE E

ELLCOTT CITY, MD 21042

PHONE NUMBER: (410) 465-0030

RECEIVED
FEB 24 1995

AJ:ggs

MICROFILMED

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
March 16, 1995 Issue - Jeffersonian

Please forward billing to:

Steven K. Knecht
9050 Frederick Road, Suite E
Ellicott City, Maryland
410-465-0030

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-303-A (Item 300)
1721 Winans Road
E/S Winans Road, 274' from SWC Selma
13th Election District - 1st Councilmanic
Legal Owner(s): Harry L. Ring, Jr. and Nelda H. Ring
Contract Purchaser(s): Steven J. Knecht
HEARING: WEDNESDAY, APRIL 5, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a front setback of 14 feet in lieu of the required 25-foot minimum; and to permit a front setback of 14 feet in lieu of the required 26.4-foot minimum front average setback.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 13, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-303-A (Item 300)
1721 Winans Road
E/S Winans Road, 274' from SWC Selma
13th Election District - 1st Councilmanic
Legal Owner(s): Harry L. Ring, Jr. and Nelda H. Ring
Contract Purchaser(s): Steven J. Knecht
HEARING: WEDNESDAY, APRIL 5, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a front setback of 14 feet in lieu of the required 25-foot minimum; and to permit a front setback of 14 feet in lieu of the required 26.4-foot minimum front average setback.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Harry and Nelda Ring
McKee & Associates
Steven J. Knecht

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 29, 1995

Mr. Steven J. Knecht
9050 Frederick Road, Suite E
Ellicott City, Maryland 21042

RE: Item No.: 300
Case No.: 95-303-A
Petitioner: Harry L. Ring, Jr.

Dear Mr. Knecht:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-10-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$300 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 3/20/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 3/13/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 296
298
299
300 ✓
301

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/10/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP--1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAR. 13, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 296, 297, 299, 300, 301 AND 303.

RECEIVED
MAR 14 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 15, 1995

SUBJECT: 1721 Winans Avenue

INFORMATION:

Item Number: 300
Petitioner: Ring Property
Property Size: 6,681 sq. ft.
Zoning: DR-5.5
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit a front setback of 14' in lieu of the required 26.5' minimum front average setback.

While staff does not oppose the applicant's request, justification of the existence of a hardship or practical difficulty will need to be demonstrated in order to site the proposed home as indicated on the plat accompanying this Petition.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Keller

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: March 20, 1995
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 20, 1995
Item No. 300

The Developers Engineering Section has reviewed the subject zoning item. Please show the limits of the existing 6-inch water main in Winans Avenue. Our records indicate the water main does not run along the frontage of your property.

RWB:sw

MICROFILMED

RE: PETITION FOR VARIANCE	*	BEFORE THE
1721 Winans Road, E/S Winans Road, 274'	*	
from SWC Selma, 13th Election District,	*	ZONING COMMISSIONER
1st Councilmanic	*	
	*	OF BALTIMORE COUNTY
Harry L. Ring, Jr. and Nelda H. Ring	*	
Petitioners	*	CASE NO. 95-303-A
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to McKee & Associates, Inc., 5 Shawan Road, Hunt Valley, MD 21030, representative for Petitioners.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

RECEIVED

PAGE COMPLETION
 PERMISSION

10-10-1984

TECH 11

TECH 11

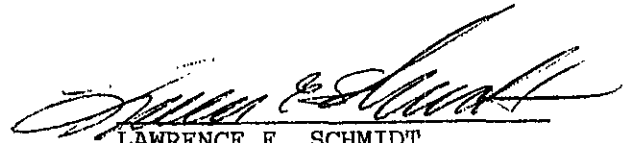
10

DATE	TIME	TEST	TEST	TEST
08-05-84	10:54	11	11	11
		412	412	412
				08-11-84

14 ft. front yard setback in lieu of the required 25 ft. minimum, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.1 of the BCZR to permit a 14 ft. front yard setback in lieu of the required 26 ft. minimum front average setback, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To	Jim Grammer	
From	Julie Winarski	
Co.	McKee & Assoc	
Dept.	2 ADM	
Phone #	887-3353	
Fax #	887-5708	
Fax #	527-1563	

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

GEORGET C SCHULTZ

5 SHAWAN ROAD 21030

BOB LIGGETT

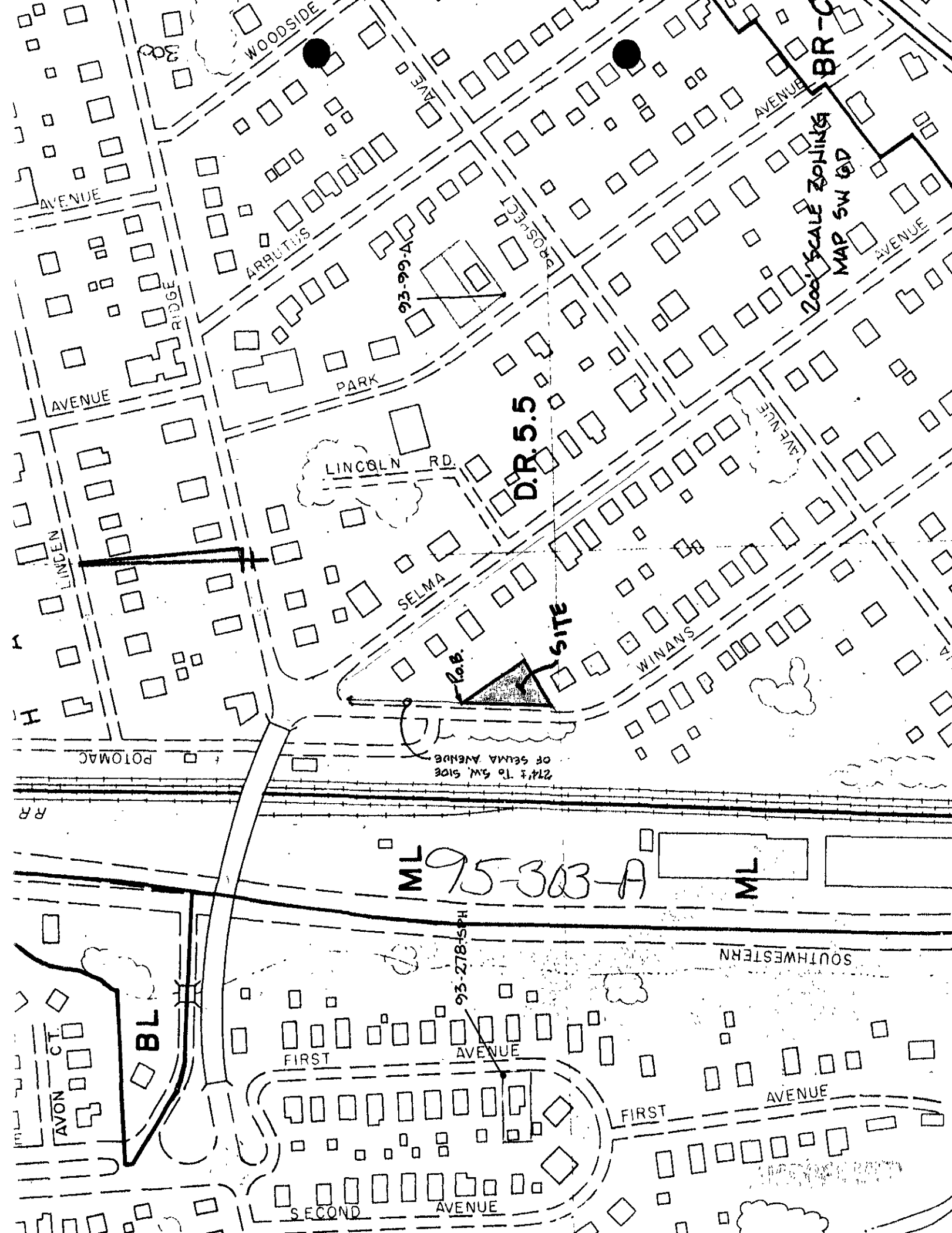
1341 Birch Ave 21227

HARRY BING

1708 XENIA AVE 21227

PAT BLAIR

1209 Locust Ave 21227



200' SCALE ZONING MAP SW 60'

BR-C

D.R. 5.5

SITE

ML 95-303-A

ML

ML

274' to SW side of SELMA AVENUE

P.O.B.

SELMA

LINCOLN RD.

PARK

ARABUS

WOODSIDE

AVENUE

AVENUE

WINANS

AVENUE

FIRST

AVENUE

FIRST

AVENUE

SECOND

7B

AVON CT

LINDEN

AVENUE

RIDGE

AVENUE

300

93-99-A

93-278-5PH

R.R.



95-303-4

JANUARY 1966

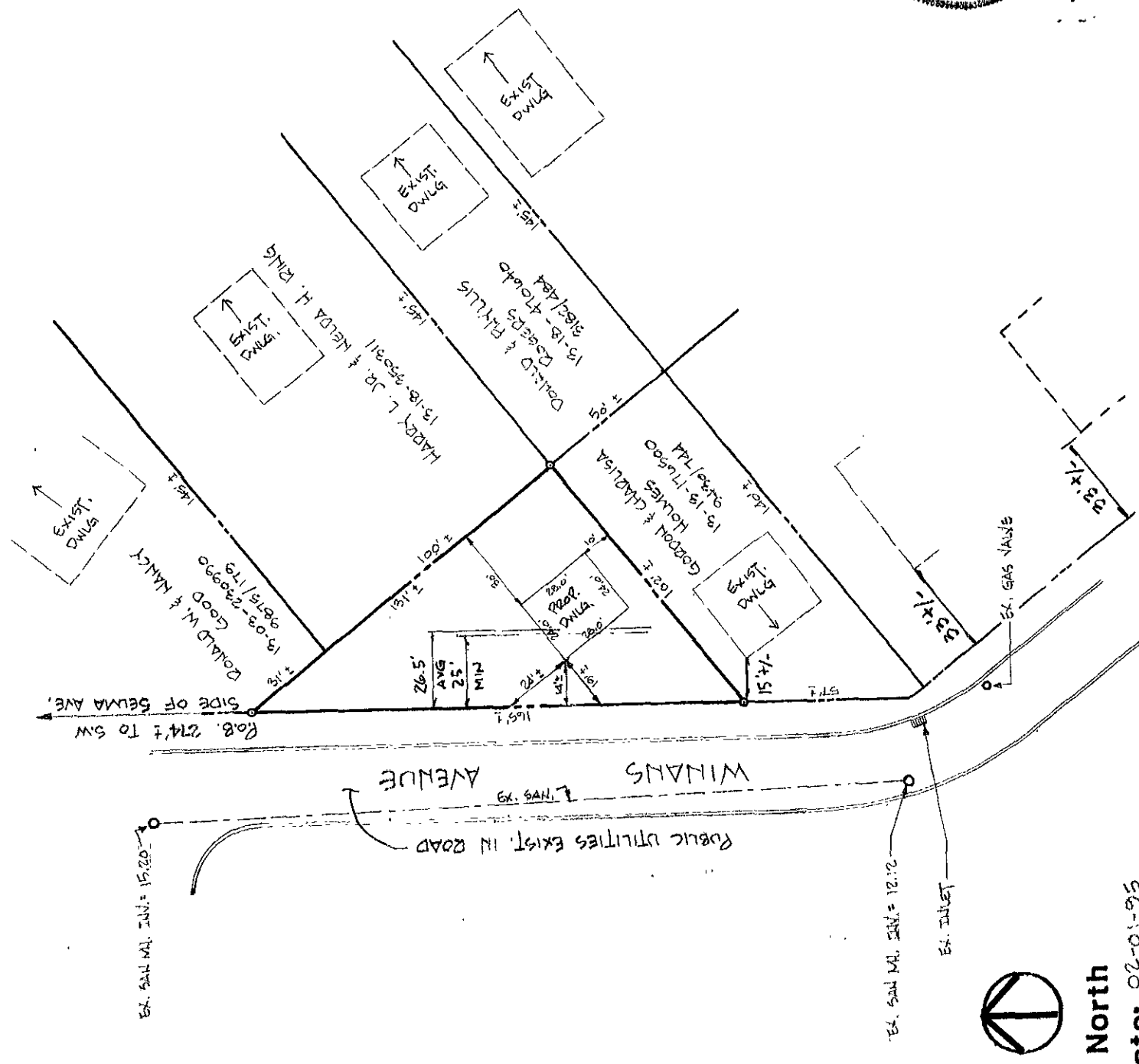
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

1721 WYNANS ROAD

PROPERTY ADDRESS: 1721 WINANS ROAD

Subdivision name: HALL & SMITH FARMS
plat book# 1, folio# 60, lot# 304, section#

OWNER: HARRY L. RING JR. & WELDA L. RING

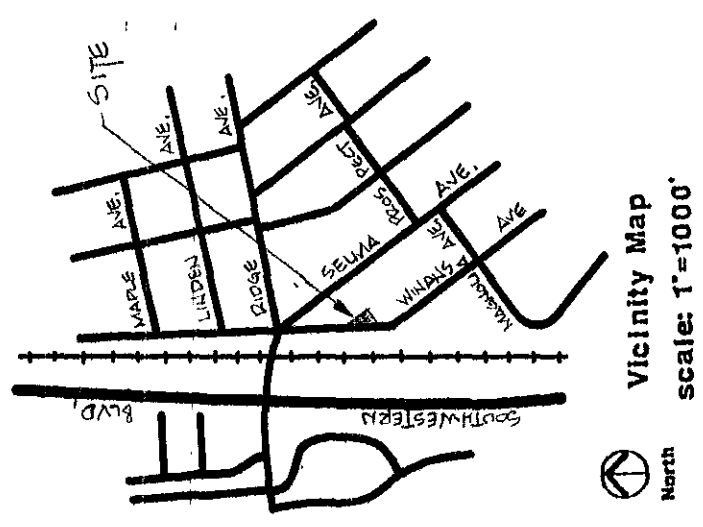
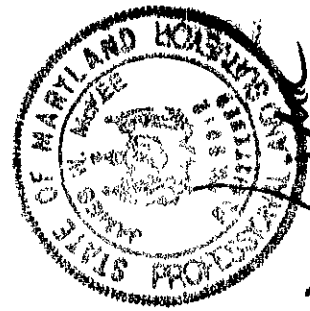


North

date: 02-01-95

prepared by: McKEE & ASSOCIATES, INC.

Scale of Drawing: $1'' = 50'$



LOCATION INFORMATION

Councilmanic District: ONE

Election District: 13

1"=200' scale map#: SW DL

Zoning: DR 5,5

Lot size: 0.15 6681

acreage: square feet

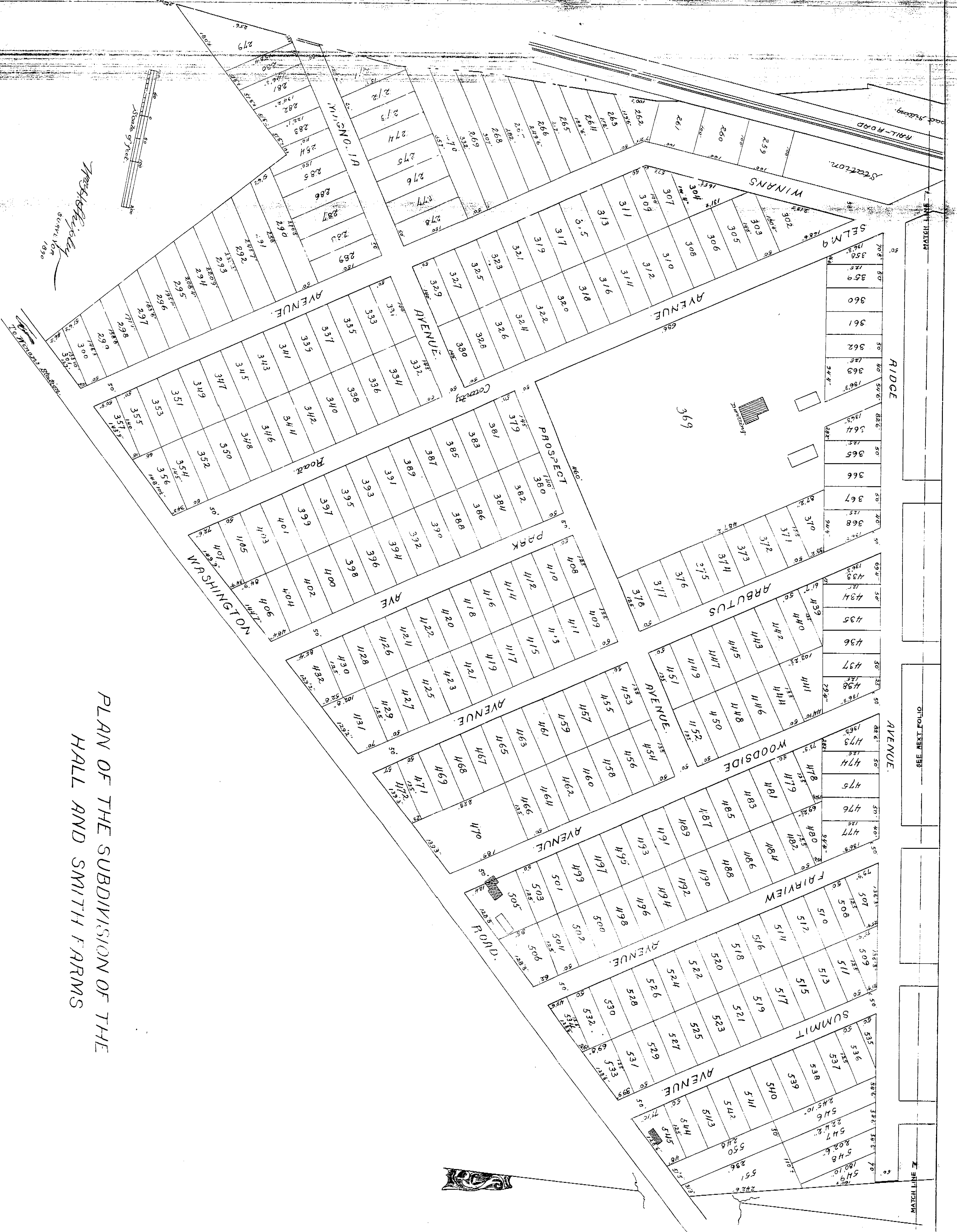
	public	private
SEWER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WATER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
cal Area:	yes <input type="checkbox"/> no <input checked="" type="checkbox"/>	

Chesapeake Bay Critical Area:

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

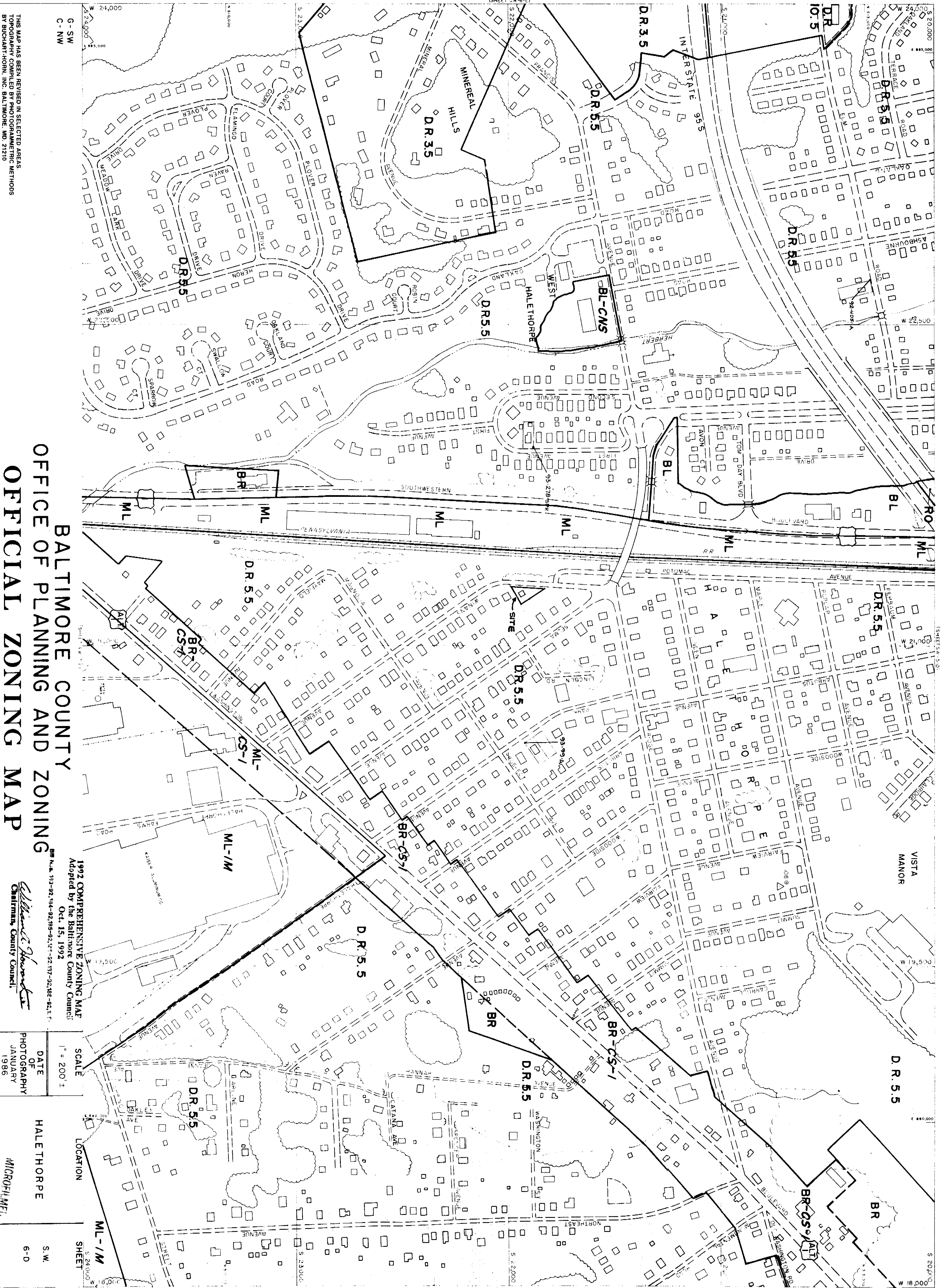
reviewed by:	ITEM #:	CASE#:



PLAN OF THE SUBDIVISION OF THE
HALL AND SMITH FARMS

Owned by
James Rittenhouse and Oregon R. Benson.

EXHIBIT 1



IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S Winans Road, 274 ft. from * ZONING COMMISSIONER
SWC Selma Avenue *
1721 Winans Road * OF BALTIMORE COUNTY
13th Election District *
1st Councilmanic District * Case No. 95-303-A
Legal Owners: Harry L. Ring, *
Jr., et ux *
Contract Purchaser: Steven J. *
Knecht, Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1721 Winans Road in the Halethorpe section of Baltimore County. The Petition is filed by Harry L. Ring, Jr., and Nelda H. Ring, his wife, property owners. Variance relief is requested from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a 14 ft. front yard setback in lieu of the required 25 ft. minimum. Also sought is a variance from Section 303.1 of the BCZR to permit a 14 ft. front yard setback in lieu of the required 26.5 ft. minimum front average setback. The property and relief requested are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the requisite public hearing held for this case were the aforementioned property owner, Harry L. Ring, Jr. Also appearing in support of the Petition was Pat Blair and Robert Liggett. Also present was Geoffrey C. Schultz, a consultant with the land use firm of McKee and Associates. Mr. Schultz assisted with the preparation of the site plan. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the subject lot is an irregularly shaped parcel of ground located within the Halethorpe subdivision. This is a very old subdivision which was laid out many years ago. The

subject lot itself and the surrounding subdivision were created prior to 1910. The property is triangular in shape and approximately .15 acres (6600 sq. ft.) in area. It is zoned D.R.5.5. Presently the property is vacant. Mr. and Mrs. Ring own an adjacent property which fronts Selma Avenue and reside thereon.

The Petitioners propose to utilize the subject lot and construct a 28 x 24 ft. house thereon. Owing to the irregular shape of the site, strict adherence to the setback regulations will require the available building to be 28 x 12 ft. Obviously, a house of such a size would be impractical and unusable. Thus, the Petitioners request variance relief to permit a setback of 14 ft. as shown on the plan. The required side yard setbacks and rear yard setback will be maintained.

Based on the testimony and evidence presented, all of which was uncontradicted, I am persuaded that the Petition for Variance should be granted. The irregular shape of the lot, as well as its age, support a finding that the subject property possesses unique characteristics which justify the variance. Moreover, a denial of the variance would render use of the subject property for a permitted purpose (i.e., residential) impossible. Moreover, there will be no detriment to the surrounding locale if the relief requested is granted and the spirit and intent of the regulations will be observed.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of April, 1995 that a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a

14 ft. front yard setback in lieu of the required 25 ft. minimum, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.1 of the BCZR to permit a 14 ft. front yard setback in lieu of the required 26 ft. minimum front average setback, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 11, 1995

Mr. and Mrs. Harry L. Ring, Jr.
1708 Selma Avenue
Baltimore, Maryland 21227

RE: Case No. 95-303-A
Petition for Zoning Variance
Property: 1721 Winans Road
Contract Purchaser: Steven J. Knecht

Dear Mr. and Mrs. Ring:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

att.

cc: Mr. Steven J. Knecht
9050 Frederick Road, Suite E
Ellicott City, Maryland 21042



Petition for Variance

95-303-A

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 to permit a front setback of 14 (fourteen) feet in lieu of the required 25 (twenty-five) foot minimum. And a variance from Section 303.1 to permit a front setback of 14 (fourteen) feet in lieu of the required 26.5 foot minimum front average setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. The configuration of the lot lines does not permit the required setback to be maintained.
2. Other good and sufficient testimony to be delivered at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

and, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessor:

Steven J. Knecht

(Type or Print Name)

Signature

9050 Frederick Road, Suite E

Address

Ellicott City, MD 21042

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Harry L. Ring, Jr.

(Type or Print Name)

Signature

Nelda H. Ring

(Type or Print Name)

Signature

Address

City and State

Phone No.

City and State

City and State

City and State

City and State

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95-303-A
MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

February 22, 1995

ZONING DESCRIPTION
1721 WINANS AVENUE
13TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the east side of Winans Road, said point being situated 274 feet, more or less from the southwest corner of Selma Avenue. Being known and designated as Lot 304 as shown on plat "Plan of the Subdivision of the Hall & Smith Farms, said plat being recorded among the land records of Baltimore County in plat book JWS 1 folio 60.

Containing 6,681 square feet or 0.15 acres of land, more or less, and being known as #1721 Winans Avenue.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 13th Date of Posting: 3/14/95

Posted for: Variance

Petitioner: H.L. Ring, Jr. & Nelda H. Ring & Steven J. Knecht

Location of property: 1721 Winans Rd., Elk

Location of Signs: Being road way, on property on road

Remarks:

Posted by: [Signature] Date of return: 3/24/95

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 17, 1995

THIS IS TO CERTIFY that the enclosed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 15, 1995.

THE JEFFERSONIAN

A. H. [Signature]

LEGAL AD. TOWSON

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-303-A

Account: 0-001-4189

Number: 300

2 March 95

Ring - 1721 Winans Road

010

100 - 50.00

080 - 35.00

185.00

005-00

BA 0081:477W03/02/95

Baltimore County Government
Office of Zoning Administration
and Development Management

West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 300
Petitioner: HARRY L. RING, JR. & MELBA H. RING
Location: 1721 WINANS AVENUE
PLEASE FORWARD ADVERTISING BILL TO:
NAME: STEVEN J. KNECHT
ADDRESS: 9050 FREDERICK ROAD, SUITE E
ELLICOTT CITY, MD 21042
PHONE NUMBER: (410) 465-0030
Ad: ggs

(Revised 04/09/93)

13

TO: PUTNEY PUBLISHING COMPANY
March 16, 1995 Issue - Jeffersonian

Please forward billing to:
Steven K. Knecht
9050 Frederick Road, Suite E
Ellicott City, Maryland
410-465-0030

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-303-A (Item 300)
1721 Winans Road
E/S Winans Road, 274' from SMC Selma
13th Election District - 1st Councilmanic
Legal Owner(s): Harry L. Ring, Jr. and Melba H. Ring
Contract Purchaser(s): Steven J. Knecht
HEARING: WEDNESDAY, APRIL 5, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a front setback of 14 feet in lieu of the required 25-foot minimum; and to permit a front setback of 14 feet in lieu of the required 26.4-foot minimum front average setback.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 13, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-303-A (Item 300)
1721 Winans Road
E/S Winans Road, 274' from SMC Selma
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Variance to permit a front setback of 14 feet in lieu of the required 25-foot minimum; and to permit a front setback of 14 feet in lieu of the required 26.4-foot minimum front average setback.

Arnold Jablon
Arnold Jablon
Director

cc: Harry and Melba Ring
Wife & Associates
Steven J. Knecht

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 29, 1995

Mr. Steven J. Knecht
9050 Frederick Road, Suite E
Ellicott City, Maryland 21042

RE: Item No.: 300
Case No.: 95-303-A
Petitioner: Harry L. Ring, Jr.

Dear Mr. Knecht:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

SHA
Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-10-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$300 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 3/13/95

DATE: 3/20/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 296
298
299
300 ✓
301

LS:sp

LETY2/DEPRM/XTXSRP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/10/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
LOCATION: DISTRIBUTION MEETING OF MAR. 13, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 296, 297, 299, 300, 301 AND 305.

RECEIVED
MAR 14 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 15, 1995

SUBJECT: 1721 Winans Avenue

INFORMATION:

Item Number: 300
Petitioner: Ring Property
Property Size: 6,681 sq. ft.
Zoning: DR-5.5
Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit a front setback of 14' in lieu of the required 26.5' minimum front average setback.

While staff does not oppose the applicant's request, justification of the existence of a hardship or practical difficulty will need to be demonstrated in order to site the proposed home as indicated on the plat accompanying this Petition.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Kiser*
PK/JL

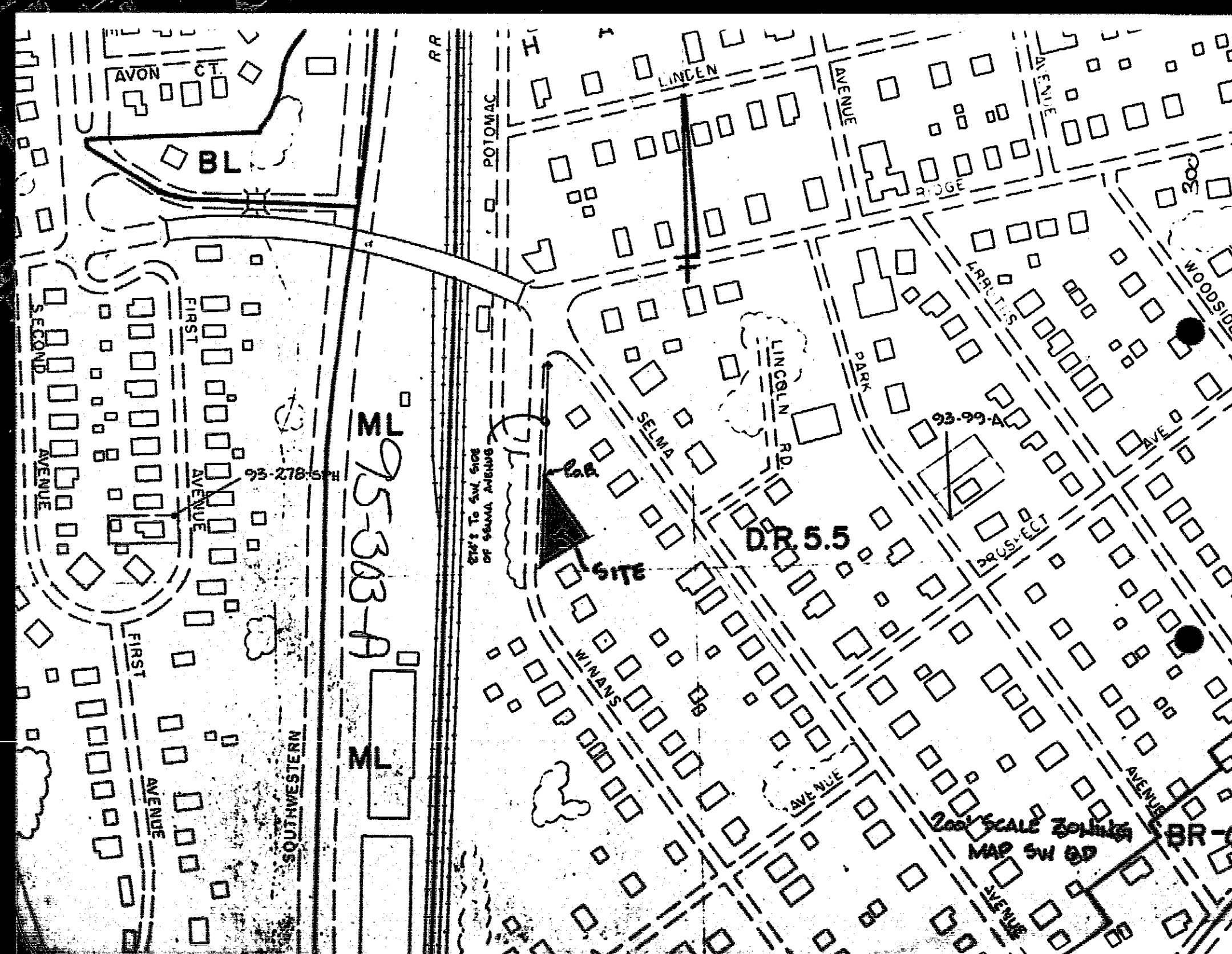
ITEM300/PZOM/XTXJWL

Pg. 1

RWB:SW

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Post-It® brand fax transmittal memo 7671		# of pages » 1	
To	Jim Grammer	From	John Winkarski
Co	McKee & Assoc	Co	242 M
Dept.		Phone #	887-3353
Fax #	527-1563	Fax #	887-5708

[illegible]

Plat to accompany Petition for Zoning Variance

PROPERTY ADDRESS: 1781 WINANS ROAD

Subdivision name: HALL & SMITH FARMS

plat book# 1, **folio#** 60, **lot#** 304, **section#** _____

OWNER: MARLEY L KING JR. & MELBA H KING

see pages 5 & 6 of the CHECKLIST for additional required information

Vicinity Map
scale: 1"=1000'

Zoning Office USE ONLY!

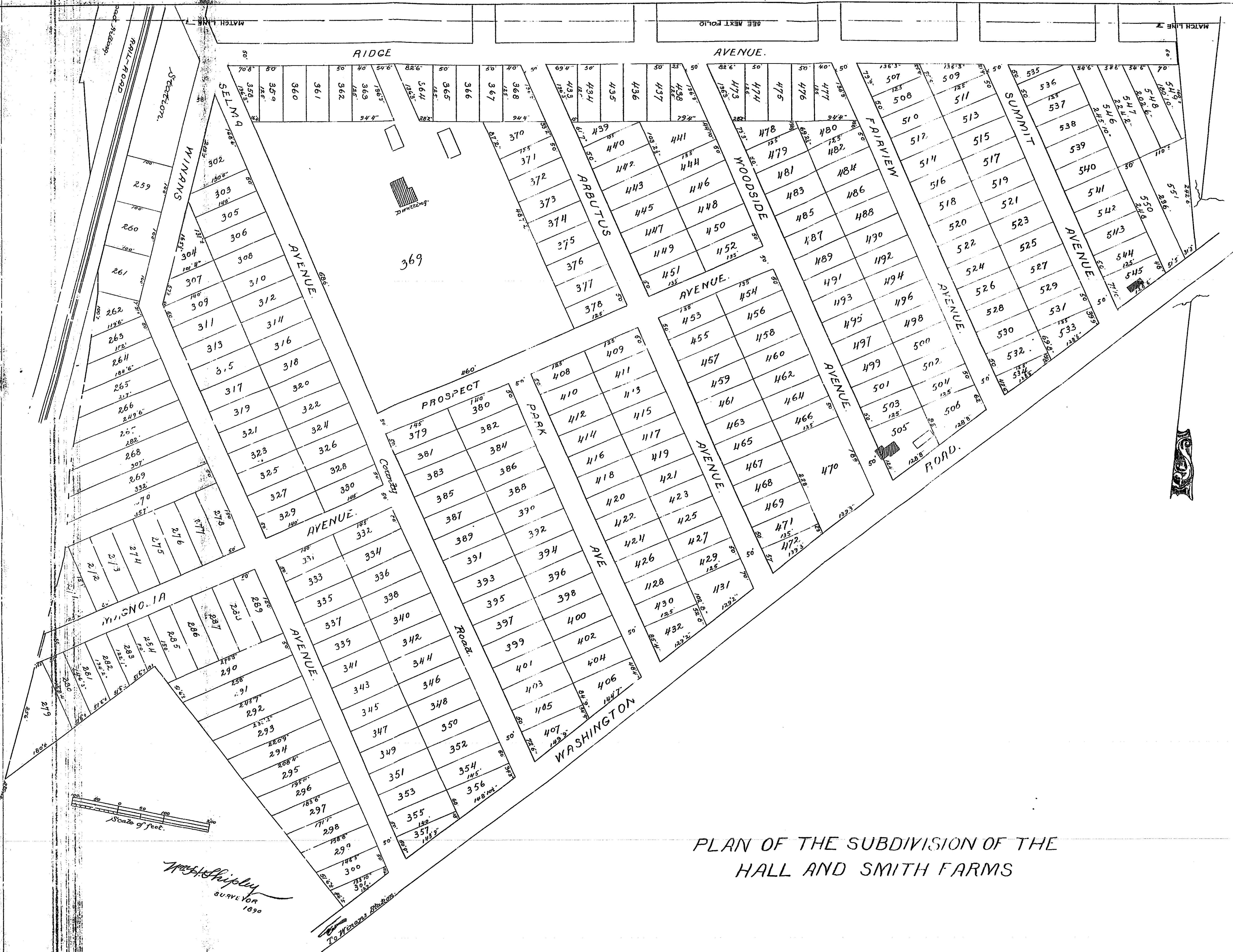
reviewed by: _____ ITEM #: _____ CASE#: _____

North

date: 02-01-95

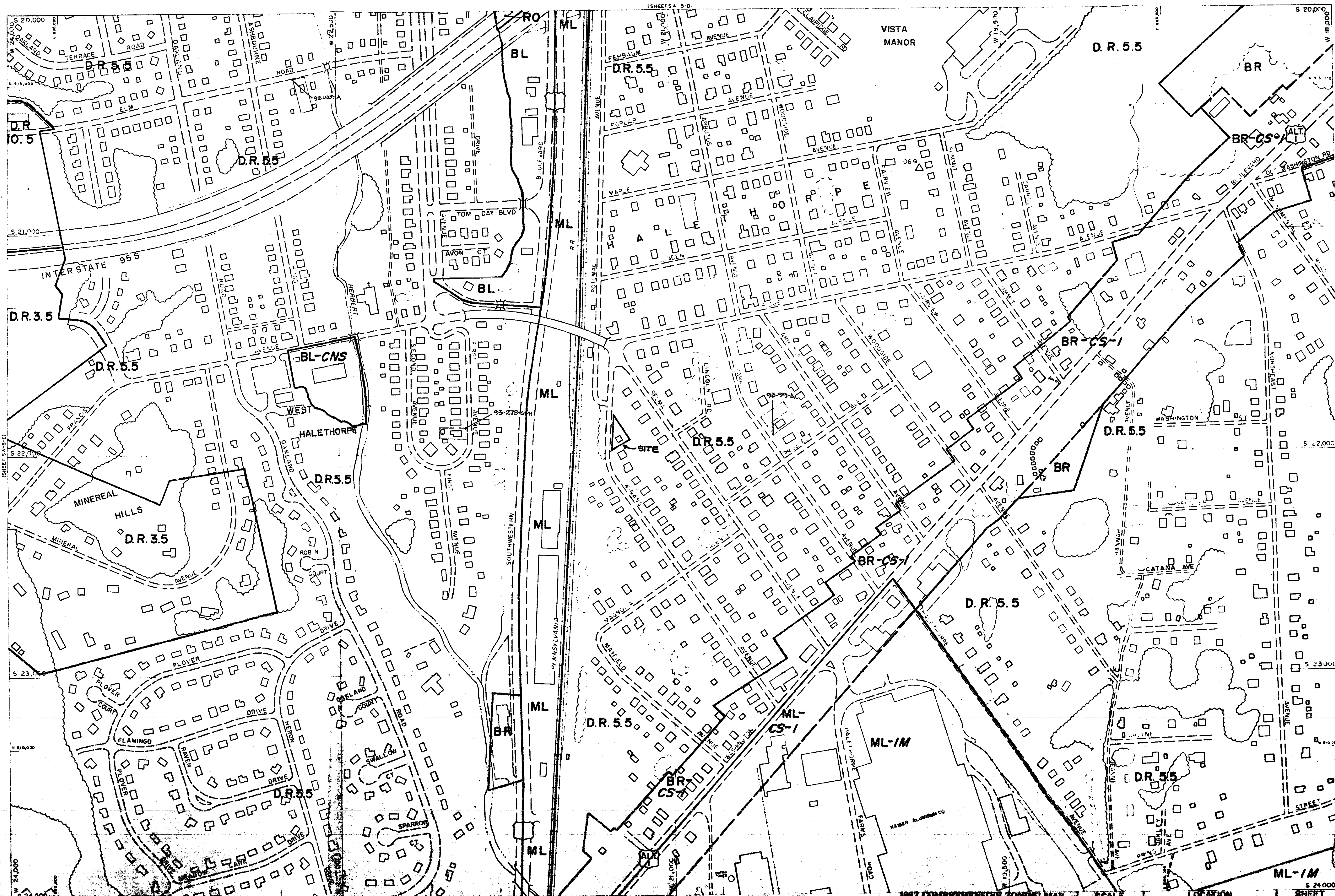
prepared by: Wright & Associates, Inc.

Sale of Drawing: 1" = 60'



PLAN OF THE SUBDIVISION OF THE
HALL AND SMITH FARMS

Owned by
James Rittenhouse and Oregon R. Benson.



G-SW
C-NW

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Map Nos. 100-20, 104-02, 105-02, 106-02, 107-02, 108-02, 109-02

John A. Harter
Chairman, County Council

SCALE

1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

HALETHORPE

SHEET

S.W.
6-D

THIS MAP HAS BEEN REVIEWED BY THE BALTIMORE COUNTY
SOPHOMORE COMMISSIONER OF PLANNING AND ZONING
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

EXHIBIT (2)